

Exhibit 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Examiner: TRUONG, CAM Y T
G. Eric Engstrom)
Application No.: 09/872,686) Art Unit: 2169
Filed: 05/31/2001) Confirmation No. 2508
For: Time Slot Based Calendar)
Access Control)

)

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Declaration by Al AuYeung in Support of Declaration of Inventor
Pursuant to 37 C.F.R. § 1.131

Sir:

I, Al AuYeung, hereby declare that:

1. In my capacity as patent counsel, I worked with the inventor, G. Eric Engstrom, to prepare and file US Patent Application 09/872,686.
2. During the preparation of US Patent Application 09/872,686, I was first a partner at Blakely, Sokoloff, Taylor and Zafman prior to July 2000, and then a founding partner at Columbia IP Law Group, starting July 2000, a firm that later combined with Schwabe, Williamson & Wyatt, on or about the fourth quarter of 2002, where I am currently a shareholder.
2. To the best of my recollection and as refreshed by **Exhibit 1**, the subject invention was conceived no later than July 5, 2000. **Exhibit 1** is a photocopy of a

draft patent application I prepared on or before July 5, 2000. In **Exhibit 1**, the inventor was misidentified as Swain Porter due to a clerical error. **Exhibit 2** is a photocopy of a draft patent application I prepared on or before July 7, 2000, along with various patent drawings I prepared on or before July 7, 2000.

4. I additionally declare that I worked diligently with G. Eric Engstrom from at least prior to December 21, 2000, until the filing date of the above-captioned application on May 31, 2001, to constructively reduce the invention to practice and file the above-captioned application.

5. To the best of my recollection and as refreshed by attached **Exhibits 3 and 4**, I exchanged various edited versions of draft applications, and various communications about the draft applications, with Eric Engstrom between at least prior to December 21, 2000, until filing US Patent Application 09/872,686 on May 31, 2001. **Exhibit 3** is a photocopy of a draft patent application I prepared on or before March 16, 2001. **Exhibit 4** is a photocopy of a draft patent application I prepared on or before April 2, 2001. **Exhibits 3 and 4** were provided to G. Eric Engstrom for review and commentary.

6. To the best of my recollection, I communicated with G. Eric Engstrom numerous times between at least prior to December 21, 2000, until the filing date of the above-captioned application on May 31, 2001, to discuss the substance and finalization of the patent application. I have been unable to locate copies of any relevant email correspondence or other such communications.

7. To the best of my recollection, and as further refreshed by attached **Exhibit 6**, a copy of US Patent Application No. 09/872,686 as filed, I finalized and then filed US Patent Application 09/872,686 on May 31, 2001.

8. To the best of my recollection, and as further refreshed by attached **Exhibit 7**, a screen shot of an electronic folder managed currently by Schwabe, Williamson &

Wyatt, the dates identified above for various drafts of the application correspond at least with the dates various documents were last modified.

I further declare that all statements made herein of my own individual knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified patent application or any patent issued thereon.

Executed by and on the date as set forth below:

By: s/AI AuYeung/

AI AuYeung

Date: June 30, 2010